

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 89-371-T - ORDER NO. 89-952
October 3, 1989

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| IN RE: Application of Streeter's Moving Service, |) | ORDER |
| Inc., 701 Blossom Street, Columbia, SC |) | DENYING |
| 29201, to Transfer Class E Certificate |) | PETITION TO |
| No. 18-F to Fidelity Moving & Storage Co., |) | INTERVENE |
| Inc., 7289 A & B Spa Road, P.O. Box 60819, |) | OUT OF TIME |
| North Charleston, SC 29419.. |) | AND |
| |) | APPROVING |
| |) | TRANSFER |

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of the Application filed by Streeter's Moving Service, Inc. (the Transferor), whereby the Transferor seeks certain relief in the nature of the approval of the transfer of its Certificate of Public Convenience and Necessity to Fidelity Moving & Storage Co., Inc. (the Transferee).

Subsequent to the initiation of this proceeding, the Commission Staff instructed the Transferor to cause to be published a prepared Notice of Filing in certain newspapers of general circulation in the State of South Carolina.¹ The Notice of Filing

¹See, Smith & Smith, Inc. vs. The Public Service Commission of South Carolina, et.al., ___ S.C. ___, 247 S.E.2d 677 (1978).

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indicated the nature of the Application and advised all interested parties desiring to participate in the proceeding of the manner and time in which to file the appropriate pleadings. The Notice of Filing was duly published in the State Register. Subsequently, a Petition to Intervene Out of Time was filed September 6, 1989, on behalf of Azalea Moving & Storage Co., Charleston Moving & Storage Co., Palmetto Moving & Storage Co., and Brock Moving & Storage Co. (the Petitioners). A Reply to the Petition to Intervene Out of Time was filed by the Transferor.

Upon consideration of the Petition and the Reply, the Commission is of the opinion, and so finds, that the Petitioners have proffered no excuse or explanation as to why the Commission's Regulations were not complied with, and, therefore, that the Petitioners have not shown good cause why their Petition should be granted.

Upon consideration of the merits of the instant Application, the representations contained therein, and the documentary evidence attached thereto, the Commission finds that: (1) the transfer of the Certificate will not adversely affect the service to the public authorized by said Certificate; (2) the Transferee is fit, willing and able to perform such service to the public under said Certificate; and (3) service under said Certificate has been continuously offered and reasonably provided to the public up to the time of filing of the Application.

The Commission also finds and concludes that the proposed transfer of the Certificate from the Transferor to the Transferee

is in the public interest, and that the relief sought in the Application for transfer should be approved.

IT IS THEREFORE ORDERED:

1. That the Petition to Intervene Out of Time filed by the Petitioners be, and hereby is, denied.

2. That the proposed transfer of Certificate of Public Convenience and Necessity No. 18-F from the Transferor to the Transferee be, and hereby is, approved.

3. That the Transferee file the proper license fees and other information required by S.C. Code Ann., Section 58-23-10 et seq. (1976), as amended, and by R.103-100 through R.103-280 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

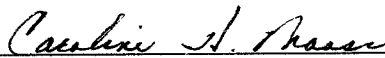
4. That upon compliance with S.C. Code Ann., Section 58-23-10, et seq., (1976), as amended, and the applicable provisions of R.103-100 through R.103-280 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann., Vol. 26, (1976), as amended, a certificate shall be issued to the Transferee authorizing the motor carrier services granted herein.

5. That prior to compliance with such requirements and receipt of a certificate, the motor carrier services authorized herein shall not be provided.

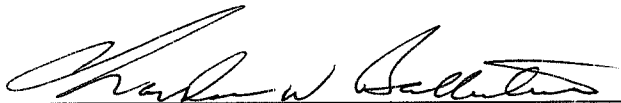
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6. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)